

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO.</b> _____
<b>v.</b>	<b>:</b>	<b>DATE FILED:</b> _____
<b>ANTHONY BEVERLY</b>	<b>:</b>	<b>VIOLATION:</b>
	<b>:</b>	<b>18 U.S.C. § 371 (conspiracy to make false statements to a federally licensed firearms dealer - 1 count)</b>

**INFORMATION**

**COUNT ONE**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

At all times material to this information:

1. It was a federal felony crime to knowingly make any false statement or representation with respect to the information required to be kept in the records of firearms dealers, who are federal firearms licensees ("FFLs") licensed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF") or the United States Department of the Treasury.
2. South Philadelphia Gun Shop located at 1144 South 9<sup>th</sup> Street, Philadelphia, Pennsylvania possessed a federal firearms license and was authorized to deal in firearms and ammunition under federal law.
3. Various rules and regulations contained in and promulgated under the authority of Title 18, United States Code, Chapter 44 (Sections 921-929) govern the manner in which an FFL may sell firearms and ammunition. Among the rules and regulations governing FFLs were the following requirements:

a. That an FFL not sell a firearm or ammunition to a person “who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year” (“a prohibited person”);

b. That a person seeking to buy a firearm fill out a Pennsylvania State Police Application/Record of Sale and wait for a background check to be performed to determine if the purchaser is a “prohibited person;”

c. That a person seeking to purchase a firearm fill out a “Firearms Transaction Record,” ATF Form 4473. Part of Form 4473 requires that the prospective purchaser represent, subject to penalties of perjury, that he or she is the actual buyer of the firearm, rather than a “straw purchaser,” acquiring the firearm on behalf of another. The Form 4473 in effect at the times relevant to this indictment contained language explaining what it means to be an actual buyer as follows:

**WARNING** - The Federal firearms laws require that the individual filling out this form must be buying the firearm for himself or herself or as a gift. Any individual who is not buying the firearms for himself or herself or as a gift, but who completes this form, violates the law. Example: Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith. Mr. Smith gives Mr. Jones the money for the firearm. If Mr. Jones fills out this form, he will violate the law. However, if Mr. Jones buys a firearm with his own money to give to Mr. Smith as a birthday present, Mr. Jones may lawfully complete this form. A licensee who knowingly delivers a firearm to an individual who is not buying the firearm for himself or herself or as a gift violates the law by maintaining a false ATF 4473.

5. FFLs were required, pursuant to regulations promulgated by ATF under the authority of Title 18, United States Code, Chapter 44 (Sections 921-929), to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFLs, to ensure that the person was not prohibited from purchasing a firearm.

6. From in or about May 2000, until on or about February 21, 2001, defendant

**ANTHONY BEVERLY**

conspired and agreed, together with others known and unknown to the United States Attorney, to commit an offense against the United States, that is, to knowingly make false and fictitious statements with respect to information required by the provisions of Chapter 44, Title 18, United States Code to be kept in the records of a licensed firearms dealer, in violation of Title 18, United States Code, Section 924(a)(1)(A), that is, the identity of the actual buyer of firearms.

**MANNER AND MEANS**

7. Terrance Roberson, charged elsewhere, agreed for a fee to purchase firearms for individuals who were involved in illegal activities, including counterfeiting, check scams, and other offenses.

8. Terrance Roberson was given money by other individuals, including defendant ANTHONY BEVERLY, to purchase firearms on their behalf from federal firearms dealers.

9. In connection with the purchase of firearms for others, Terrance Roberson falsely represented on the Form 4473, that he was the actual buyer of the firearms.

10. After purchasing the firearms, Terrance Roberson provided the firearms to his customers and was paid a fee by his customers.

**OVERT ACTS**

In furtherance of the conspiracy and to accomplish its objective, the following overt acts, among others, were committed in the Eastern District of Pennsylvania:

1. In or about 2000, an exact date unknown to the United States Attorney, defendant ANTHONY BEVERLY, approached Terrance Roberson about purchasing a firearm for him.

2. In or about 2000, at an exact date unknown to the United States Attorney, Terrance Roberson straw purchased a Taurus nine millimeter pistol from a federal firearms licensee at the request and direction of defendant ANTHONY BEVERLY.

3. In or about 2000, at an exact date unknown to the United States Attorney, defendant ANTHONY BEVERLY obtained a firearm, a Taurus nine millimeter pistol, from Terrance Roberson who had straw purchased it for defendant BEVERLY.

4. On or about February 21, 2001, defendant ANTHONY BEVERLY caused Terrance Roberson, to purchase one firearm, that is, a Glock, Model 30, 45 caliber pistol, serial number DKY753US, on behalf of defendant BEVERLY, from South Philadelphia Gun Shop by falsely representing on Form 4473, that ROBERSON was the actual buyer.

All in violation of Title 18, United States Code, Section 371.

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**PATRICK L. MEEHAN**  
**UNITED STATES ATTORNEY**